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OFFICE OF PETITIONS

In re Application of :
Kenichi K. Yabusaki : DECISION ON PETITION
Application No. 10/751,182 :
Filed: 31 December, 2003 :
Attorney Docket No. 03-YAB-115 :

This is a decision on the petition filed under 37 CFR 1.181 on 31 January, 2006, requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **granted**.

The application was held abandoned for failure to submit corrected drawings in response to the Notice of Allowance mailed on 22 September, 2005, which set a three (3) month statutory period for reply. On 2 November, 2005, the issue and publication fees were received. Notice of Abandonment was mailed on 27 January, 2006.

Petitioner asserts that corrected drawings were submitted prior to the mailing of the Notice of Allowability.

A review of record reveals that two sheets of drawings marked "Drawings Corrections Approved" and initialed by the examiner and dated 9/15/05, are included with the Notice of Allowability located in the official file. As such, it is obvious that corrected drawings had previously been received, and that the requirement for corrected drawings in the Notice of Allowability was made in error. The requirement for corrected drawings is hereby withdrawn.

Consequently, there was no abandonment in fact. The holding of abandonment is withdrawn, and the Notice of Abandonment is vacated.

The application has been restored to pending status.

The application is referred to the Publishing Division for processing into a patent.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.

A handwritten signature in cursive script, appearing to read "D Wood".

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions